



Flathead County
Planning & Zoning
1035 1st Ave W, Kalispell, MT 59901
Telephone 406.751.8200 Fax 406.751.8210



GROWTH POLICY/NEIGHBORHOOD PLAN
APPLICATION FOR "PRIVATELY INITIATED" AMENDMENT

*Submit this application, all required information, and appropriate fee (see current fee schedule)
to the Planning & Zoning office at the address listed above.*

FEE ATTACHED \$ 2485.00

APPLICANT(S):

1. Name: Thompson Farms, LLC Phone: (406) 261-7777 (Dave Jolly)
Owners Representative: Dave Jolly
2. Mail Address: 6 Sunset Plaza
3. City/State/Zip: Kalispell, MT 59901
4. Email: _____
5. Interest in property (if map amendment): Owner

LANDOWNER(S) (if proposing to amend a map):

1. Name: Same Phone: _____
2. Mailing Address: _____
3. City, State, Zip: _____
4. Email: _____

TECHNICAL/PROFESSIONAL PARTICIPANTS:

1. Name: Sands Surveying Inc. Phone: (406) 755-6481
2. Mailing Address: 2 Village Loop
3. City, State, Zip: Kalispell, MT 59901
4. Email: eric@sandssurveying.com

**IF THE PROPOSED AMENDMENT IS TO A MAP PLEASE COMPLETE THE
FOLLOWING:**

- A. Address(es) of the property: 1885 Whitefish Stage, Kalispell
- B. Legal Description: Tract 1 of COS 12810 (See Attached)
(Lot/Block of Subdivision or Tract #)
29 - T29N - R21W
Section Township Range (Attach sheet for metes and bounds)
- C. Total acreage: 49.558 ac

INFORMATION ABOUT THE PROPOSED AMENDMENT(S)

- A. Please list the plan within which an amendment is being proposed, as well as the corresponding section(s) of the plan:

Kalispell City-County Master Plan, Year 2010 Adopted by Kalispell Resolution #3641, April 7, 1986 and Flathead County Resolution #578A, February 6, 1986. The Kalispell City-County Master Plan is considered a neighborhood plan within the influence of the Flathead County Growth Policy. We are not proposing any changes to the text, only changes to the Map.

- B. Please provide the exact text and/or maps showing the proposed amendment(s). Proposing a change from an Agriculture/Silvicultural Designation to an Industrial Designation on the Land Use Map. (See attached Map)

- C. Please describe the reason(s) for the amendment(s). The owner of the property is a long time business person in the community and developed a successful business (Simitool now Applied Materials) just west of the proposed map amendment parcel. The landowner wishes to start a new light manufacturing company on the subject property that will employ up to 100 persons. The Kalispell City-County Master Plan adopted in 1986, which defines the land use for the subject property, is now outdated, as both the City of Kalispell and Flathead County have amended land use policy in the Reserve and Whitefish Stage corridors. Intense commercial development now runs up Highway 93 to the Reserve Drive intersection. The Kalispell City limits runs up the Highway 93 to the Church Drive intersection. The County adopted the Two River Neighborhood Plan that designates Urban Residential densities north and east of the proposed Plan Amendment. Although this particular property has been in continuous agricultural production since the 1986 Master Plan designation, the agricultural land use designation is a remnant that does not fit with neighboring land use designations. The owners of this property previously had chose not to participate in any Neighborhood Plan amendments as they were unsure what they wanted to do with the property. Now the owners have a plan.

CRITERIA FOR REVIEW:

Part 7 of Chapter 9 of the Flathead County Growth Policy establishes criteria for Growth Policy Amendments. Additionally, per Part 4 of Chapter 10 of the Flathead County Growth Policy, Neighborhood Plans are elements of the Growth Policy. Therefore, proposed amendments to *all* plans must address the following criteria:

- A. In Montana, Growth Policies must comply with the requirements of 76-1-601, M.C.A. (attached). Explain how the proposed amendment affects the overall compliance of the Growth Policy and, if applicable, the Neighborhood Plan, with 76-1-601, M.C.A.

As the applicant is not proposing any amendment to the text of the Kalispell City-County Master Plan 2010 or the Flathead County Growth Policy Adopted March 19, 2007, the Map amendment will not change the community goals and objectives. We are proposing a map amendment which will change 49.5 acres currently designated in the 1986 plan as Agricultural to the proposed Light Industrial designation.

Provisions of the Kalispell City County Master Plan – 2010 that are applicable and compliant with said Plan.

Chapter 1

5. Economy

- b. Identify and conserve prime farm lands in order to retain farming as a viable sector of the economy*

The proposed map amendment changes 49.5 acres of a 250 plus acre holding that is currently in agricultural production. As with the Applied Materials use developed by the applicant to the west, what is not used in the proposed business will be maintained in agricultural production. In this case there will still be approximately 200 acres in agricultural production.

- g. Promote the location of business and clean light industry so as to provide job opportunities and maintain Kalispell's position as a retail shopping center for northwest Montana*

The proposed map amendment will provide job opportunities for up to 100 persons which in today's economic climate is a significant boost to the local economy.

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6 Land Use – The orderly development of the Planning Jurisdiction with ample space for future growth while, at the same time, ensuring compatibility of adjacent uses.

The property west of the Thompson Farms property was previously owned by the applicant with a significant portion designated light industrial (Applied Materials property). The property located on the southern corners of Whitefish Stage and Reserve are designated Commercial and have been developed accordingly. The proposed change will fit with the neighboring uses to the west and as the applicant owns the 200 acres surrounding the proposed Map Change area, this agricultural land will further buffer any potential land use conflicts.

e. Establish additional areas for light industrial expansion within or directly adjacent to the City...

Although not directly adjacent to the City, the area south of Reserve is built to urban densities with Evergreen public water. With the highly successful light industrial use directly west of the subject property, this area can become a light industrial hub where employees can live close to work and have easy access to the transportation network of Whitefish Stage, Reserve, Highway 93 and Highway 2.

8. Public Facilities

a. Designate areas of future development which are already serviced or are in areas which can be economically serviced by water and sewer systems, police and fire protection.

The subject property is now serviced by a main extension from the Evergreen Water District. Like the Applied Materials business to the west, the property is in the West Valley Fire District and served by Flathead County Sheriff Office. Given the size of the property it can be serviced by on-site sewer.

Chapter 5 – Summary and Analysis of the Kalispell City-County Master Plan addresses the deficiency of industrially developed land in the Plan area. Industrial land, “provides a two fold benefit to an area. First, industrial land is a major component of the local tax base. Typically industrial lands pay a far greater proportion in taxes than are received back in services. Second, industrial development on average is responsible for creating 1.5 to 2

additional local support, service or retail jobs (non-basic for each industrial (basic) job in a given area.”

Other than the 49.5 acres proposed in the Map Amendment, the remainder of the Map designations will be unchanged. The proposed Map amendment will not alter the provisions of MCA 76-1-601 3a through j which are incorporated into the Flathead County Growth Policy.

- B. Explain the existing characteristics and/or projected trends in the community that are substantially different from those presented in the most recent plan update and upon which the proposed amendment is based.

The Kalispell City-County Growth Policy adopted in 1986 is for the most part outdated with the exception of the identified deficiency of industrially designated property within the Plan area. The proposed Map amendment is at least in a small part trying to rectify the industrial land use deficiency. Since the adoption of the original Master Plan, areas to the west have been designated industrial; the Highway 93 strip up to the north side of Reserve has been designated and developed with commercial uses. The City of Kalispell has annexed property north to Church Drive. Flathead County has adopted the Two River Neighborhood plan that surrounds the subject property with urban land use designations. Evergreen has expanded its water district and created a sewer district that developed sewer service for the greater Evergreen area. Much has changed in the last 25 years on the northern edge of Kalispell. The proposed land use designation is no longer out of character with its surrounding land use designations and uses.

- C. Explain how the proposed amendment impacts both consistency within the plan proposed to be amended and consistency with other plans. (For example, if the proposed amendment is to a Neighborhood Plan, how does the proposed amendment impact the consistency of the text, goals and policies and maps within the plan, but also consistency with the provisions of the Growth Policy?)

The following provisions of the Kalispell City County Master Plan – 2010 that are applicable and compliant with the proposed Map Amendment.

Chapter 1

5. Economy

- b. Identify and conserve prime farm lands in order to retain farming as a viable sector of the economy*

The proposed map amendment changes 49.5 acres of a 250 plus acre holding that is currently in agricultural production. As with the Applied Materials use developed by the applicant to the west, what is not used in the proposed business will be maintained in agricultural production. In this case there will still be approximately 200 acres in agricultural production.

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Chapter 5 – Summary and Analysis of the Kalispell City-County Master Plan addresses the deficiency of industrially developed land in the Plan area. Industrial land, “provides a two fold benefit to an area. First, industrial land is a major component of the local tax base. Typically industrial lands pay a far greater proportion in taxes than are received back in services. Second, industrial development on average is responsible for creating 1.5 to 2 additional local support, service or retail jobs (non-basic for each industrial (basic) job in a given area.”

D. Explain how the proposed amendment further protects and complies with the seven elements of the public’s vision for the future of Flathead County. See Chapter 1, Part 1.

1. Protect the Views

The proposed Map amendment is located off a scenic portion of Whitefish Stage. The area in question sits a quarter mile east of Whitefish Stage and about a quarter mile north of Reserve which encompasses a number of barns, out buildings, and the farm house. As the area of the Map Amendment is set back from the roadways, the agricultural use will provide the visual buffer for the industrial use. The proposed change to Light Industrial should not impact the views.

2. Promote a Diverse Economy

The proposed change to Light Industrial will promote a diverse economy by providing good paying jobs for the Flathead Valley. The applicants hope to employ up to 100 persons at their new facility.

3. Manage Transportation

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The Thompson Farms property is located on the northeast corner of the Whitefish Stage, Reserve intersection. Reserve and Whitefish Stage roads are considered Major Collector Roads by the Montana Department of Transportation. Reserve connects Highway 93 on the west and Highway 2 of the east, both of which are arterials. The proposed Map Amendment is in a good location for transportation connections.

4. Maintain and identify of Rural Communities

The proposed Map Amendment is located on the urban edge of the Kalispell area. While bringing jobs to the residents of the Flathead Valley, the proposed land use change will not detract from the identity and rural nature of the Flathead Valley.

5. Protect Access to and Interaction with Parks and Recreation

The proposed Map Amendment will not impact access to, or interaction with any park or recreational activities. The property surrounding the proposed map amendment is all privately owned with no City parks, County Parks, State Lands, USFS Lands, or National Parks Service Lands in the immediate vicinity. The Whitefish River runs along the eastern boundary of the proposed Map Amendment but as there are numerous rules about developing adjacent to the River and associated floodplains, the proposed land use will not impair movement up or down the river by recreationalists.

6. Properly Manage and Protect the Natural and Human Environment

The proposed Map Amendment will allow for a clean light industrial use to take place on the property similar to the Applied Materials complex just west of this property. The proposed use will utilize Evergreen water, an on-site wastewater system complying with the Flathead city County Health Department rules, and on-site management of stormwater run-off to protect area surface waters. The Map Amendment will be managed to protect the Natural and Human Environment.

7. Preserve the Rights of Private Property Owners

The proposed Map Amendment will not infringe on neighboring property rights particularly as it is buffered by the applicants own property. Ray Thompson, owner of the Thompson Farms property, developed a thriving business in the Flathead just west of the subject property. As Mr. Thompson was free to exercise his property rights and build Simitool, he was also able to provide a large number of jobs and associated benefits for the Flathead Valley. Mr. Thompson now wishes to continue that

entrepreneurial spirit, by developing a new business that will benefit him, his family, and the community.

- E. Explain the process of public participation and review that the proposed amendment has undergone and/or will undergo and discuss the sufficiency of this in the context of the proposed amendment.

The proposed Map Amendment will go through the public notification process and public hearing process with the Flathead County Planning Board and the Flathead County Commissioners. This process provides opportunity to all interested persons to comment, pro or con, on the proposed amendment to the Kalispell City County Master Plan 2010 Map.

- F. If the proposed amendment is to a Neighborhood Plan and that plan has unique amendment criteria, please list the criteria and explain how the proposed amendment addresses each criteria.

The Kalispell City-County Master Plan- 2010 does not establish any unique amendment criteria. The Plan does recommend bi-yearly review of the document to keep it current. However, due to a number of jurisdictional issues over the ensuing years, this version of the Plan was adopted, but never up-dated, and remains as the Land Use Policy for this area.

SIGNATURES (required):

For all amendments:


Applicant(s)

8-6-12
Date

Applicant(s)

Date

For map amendments:

The signing of this application signifies approval for FCPZ staff to be present on the property during the review process.


Landowner(s)

8-6-12
Date

Landowner(s)

Date

APPLICATION PROCESS APPLICABLE TO ALL "PRIVATELY INITIATED" PLAN AMENDMENTS:

- A. Pre-Application Meeting.
A Pre-Application Meeting is highly recommended as an opportunity to discuss the proposed amendment(s) with a member of planning staff and share information beneficial for all parties. Matters pertaining to such things as amendment criteria, plan histories, processing timelines and sufficiency of public participation can be addressed.
- B. Completed application form and supplemental information such as maps, documents referenced in criteria for review, etc.
- C. Application fee.

**Thompson Farms, LLC.
Metes and Bounds Description for
Growth Policy Map Amendment and
Zoning Map Change**

DESCRIPTION:

A TRACT OF LAND, SITUATED, LYING, AND BEING IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 29 NORTH, RANGE 21 WEST, P.M., M., FLATHEAD COUNTY, MONTANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT:

TRACT 1:

BEGINNING at the northwest corner of the Northeast Quarter of the Southwest Quarter of Section 29, Township 29 North, Range 21 West, P.M., M., Flathead County, Montana; Thence along the north boundary of said NE1/4SW1/4 S89°40'23"E 1315.17 feet to a set iron pin and the northwest corner of the Northwest Quarter of the Southeast Quarter of said Section 29; Thence along the north boundary of said NW1/4SE1/4 S89°40'18"E 464.50 feet to a found iron pin; Thence S00°19'42"W 150.02 feet to the approximate thread of Whitefish River; Thence along said thread the following twelve (12) courses: S68°11'55"W 99.78 feet; S07°07'30"W 80.62 feet; S24°34'01"W 384.84 feet; S36°23'04"W 236.01 feet; S03°56'43"E 290.69 feet; S41°38'01"W 128.05 feet; S76°51'21"W 107.36 feet; S82°54'36"W 189.79 feet; S66°25'57"W 186.54 feet; S59°46'29"W 359.15 feet; S60°55'47"W 205.25 feet; S58°43'10"W 134.62 feet; Thence leaving said thread N89°54'42"W 245.02 feet to a found iron pin on the west boundary of the East Half of the Southwest Quarter of said Section 29; Thence along said west boundary N00°05'18"E 1675.42 feet to the point of beginning and containing 49.558 ACRES, more or less; Together with a 40 foot private road and utility easement as shown hereon; Subject to and together with all appurtenant easements of record.

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